City of Huntington Beach Planning Department
STAFF REPORT

TO: Planning Commission
FROM: Scott Hess, AICP, Director of Planning
BY: Jane James, Senior Planner
DATE: October 14, 2008

SUBJECT: **ENVIRONMENTAL IMPACT REPORT NO. 07-003 (THE VILLAGE AT BELLA TERRA)**

APPLICANT/ PROPERTY OWNER: Lindsay Parton, BTDJM Phase II Associates, LLC, 922 Laguna Street, Santa Barbara, CA 93101

LOCATION: 7777 Edinger Avenue (between Edinger Avenue and Center Avenue, west of existing Bella Terra development and east of Union Pacific Rail Road)

STATEMENT OF ISSUE:

- Environmental Impact Report No. 07-003 (EIR No. 07-003):
  - Analyzes proposed general plan amendment to increase the maximum development density and increase the maximum number of stories.
  - Analyzes proposed zoning text amendment to establish mixed-use zoning and create residential development standards in Specific Plan No. 13.
  - Documents potential impacts to aesthetics, air quality, biological resources, cultural resources, geology and soils, hazards and hazardous materials, hydrology and water quality, land use and planning, noise, population and housing, public services, recreation, transportation/traffic, and utilities and service systems.
  - Evaluates three alternatives to the proposed project.
  - Concludes that potential impacts can be mitigated to less than significant levels for the project with the exception of impacts to air quality, noise, population and housing, and transportation/traffic, which would remain significant and unavoidable.

- Staff's Recommendation:
  - Certify EIR No. 07-003 because it adequately analyzes the potential environmental impacts associated with the project, identifies project alternatives and mitigation measures to lessen the project's impacts consistent with General Plan policies, and has been prepared in accordance with the California Environmental Quality Act (CEQA).

RECOMMENDATION:

Motion to: "Certify EIR No. 07-003 as adequate and complete in accordance with CEQA requirements by approving Resolution No. 1625 (Attachment No. 1)."

ALTERNATIVE ACTION(S):

The Planning Commission may take alternative actions such as:

A. "Deny certification of EIR No. 07-003 with findings for denial."

B. "Continue certification of EIR No. 07-003 and direct staff accordingly."

PROJECT PROPOSAL:

Environmental Impact Report No. 07-003 represents an analysis of potential environmental impacts associated with General Plan Amendment No. 07-01 (GPA) and Zoning Text Amendment No. 07-02 (ZTA) that would facilitate the development of a mixed-use project. In particular, the General Plan would be amended as follows:

- Allow horizontally integrated mixed-use in addition to the currently allowed vertical mixed-use.
- Increase the allowable residential density from the currently allowed 25 dwelling units per acre (du/ac) up to a maximum 45 du/ac (with limitations specified below).
- Increase the allowable commercial floor area ratio (FAR) from the current 0.5 to a maximum 0.6 commercial FAR (with limitations specified below).
- Increase the allowable total building FAR from the current 1.5 to 1.75 maximum FAR.
- Increase the maximum number of stories from the currently allowed maximum of four stories to six stories on a majority of the project site, up to a maximum of ten stories on a portion of the site.

The proposed General Plan designation would be CR-F2-sp-mu (F14). The newly established F14 FAR category would specify an overall maximum mixed use building area FAR of 1.75. The maximum commercial development and residential density would be limited to only one of the following development combinations on the project site. The new General Plan development potential (established by one of the two following combinations) would be established in both the Land Use Density and Intensity Schedule and General Plan Subarea 5a:

- **Option 1 (Increased Residential).** Maximum total building area FAR of 1.75, commercial FAR of 0.2, and 45 du/ac, which would permit a maximum of 713 residential units and 138,085 sf of commercial uses. Compared to the existing General Plan designation, this GPA would represent an overall square footage increase of 172,606, through a decrease in commercial-only building area of 207,128 sf, and an increase of 317 residential units; *or*
- **Option 2 (Increased Commercial).** Maximum total building area floor area ratio of 1.75, commercial FAR of 0.6, and 34 du/ac, which would permit a maximum of 538 residential units and 414,255 sf of commercial uses. Compared to the existing General Plan designation, this GPA would represent an overall square footage increase of 172,606, through an increase in commercial-only building area of 69,042 sf, and an increase of 142 residential units.

These two options represent the overall development scenarios that could occur under the proposed project; however, only one option would ultimately be developed. Both of these potential development combinations result in a maximum total building area FAR of 1.75 or 1,208,245 sf of total commercial and residential development, which is an increase in overall square footage (by approximately 172,606 sf) compared to what is currently allowed on site. Approval of both options would satisfy the proposed changes to the General Plan to allow a mixed-use development, as outlined above.

The associated ZTA would amend SP-13 to allow residential uses and establish residential design and development standards. In addition, the development standards for commercial uses, including but not limited to parking, setbacks, and building height will be amended within the Specific Plan.

The EIR provides a discussion of impacts by issue area and provides mitigation measures, where appropriate. Specific issue areas discussed in the EIR include: aesthetics, air quality, biological resources, cultural resources, geology and soils, hazards and hazardous materials, hydrology and water quality, land use and planning, noise, population and housing, public services, recreation, transportation/traffic and utilities and service systems. An analysis of alternatives to the proposed project and long-term implications resulting from project implementation are also provided.

The EIR consists of three volumes. Volumes I and II are the Draft EIR and Appendices that were circulated for a minimum 45-day public review period. Volume III is titled the Final EIR and includes the comments received during the public review period, responses to those comments and text changes to the Draft EIR (Volumes I and II) to clarify or correct information in response to comments or as identified as necessary by staff. These volumes are referenced as Attachment No. 2 to this staff report.

An analysis of the GPA and ZTA is presented in a companion report that will be considered by the Planning Commission after action on the EIR.

Background and Site History:

The project site is currently developed for retail and auto service use. A vacant 190,100 sf retail building, formerly occupied by a Montgomery Ward department store, occupies the central portion of the project site. A vacant 18,600 sf auto repair facility associated with the Montgomery Ward store is located on the southwestern portion of the project site. Both developments were vacated in 2001.

The vacant Montgomery Wards building and associated auto repair facility formerly anchored the Huntington Center Mall. The mall was originally built in 1967 and was one of the first enclosed shopping malls in Southern California. Years later, Westminster Mall, in the City of Westminster, and South Coast Plaza, in the City of Costa Mesa, opened and drew many customers away from the Huntington Center Mall. By the mid-1990s the mall was almost completely vacant.

In 2003, the Huntington Center Mall was demolished to make way for the new Bella Terra Mall. Although many of the tenants opened in 2005, the mall officially opened in September 2006. The portion of the mall that opened in 2006 is referred to as Phase I or Area A of the Bella Terra development. The Village at Bella Terra is referred to as Phase II or Area B of the development and would complete the transformation of the site.

In September 2006, the City began a revitalization study for the Beach Boulevard and Edinger Avenue corridors. The purpose of the study is to determine and implement a clear vision for growth and change along Beach Boulevard and Edinger Avenue. Specifically, the study will provide specifications to guide land use and development intensity, site layout, building design, site landscaping, and signage. These standards will then be used to draft a Specific Plan for the Beach Boulevard and Edinger Avenue corridor. Mixed-use and residential projects are currently being contemplated for inclusion in the Specific Plan for the Edinger corridor area. The proposed project is an integral part of the vision for the Edinger Corridor even though it is within a separate specific plan area. The proposed project is being studied concurrently with the revitalization study to ensure that future development at The Village at Bella Terra is compatible with the proposed Specific Plan.

ISSUES:

Subject Property and Surrounding Land Use, Zoning, and General Plan Designations:

LOCATION	GENERAL PLAN	ZONING	LAND USE
Subject Property and East of Subject Property	CR-F2-sp-mu-(F9) (Regional Commercial-0.5-FAR-Specific Plan Overlay-Mixed Use Overlay-1.5 FAR [MU-0.5{C}/25 du/acre])	Specific Plan No. 13-The Crossings at Huntington Beach	Vacant Commercial (Former Montgomery Ward) and existing Bella Terra Mall
North of Subject Property (adjacent to subject property and across Center Avenue)	M-sp (Mixed Use-Specific Plan Overlay)	Specific Plan No. 1-North Huntington Center Specific Plan	SCE Right-of Way, parking lot, and across Center Ave., Old World Village
West of the Subject Property	CR-F2-d (Commercial Regional-0.50 Floor Area Ratio-Design Overlay) and CR-F1-d (Commercial Regional-0.35 Floor Area Ratio-Design Overlay)	CG (Commercial General)	Vacant Retail Building (former Levitz Furniture Store) and College Country Center (site of The Ripcurl project)
South of Subject Property (across Edinger Avenue)	CR-F2-d (Commercial Regional—0.50 Floor Area Ratio—Design Overlay)	CG (Commercial General)	Retail Buildings

General Plan Conformance:

The current General Plan Land Use Map designation on the subject property is CR-F2-sp-mu (F9) (Regional Commercial). The F2 designation permits a floor-to-area ratio (FAR) of 0.5 for commercial uses while the F9 designation permits a maximum overall FAR of 1.5, with a commercial FAR of 0.5 and 25 residential units per net acre for vertically integrated mixed-use projects consisting of commercial and residential components. Concerning the overlay designations, the specific plan (sp) overlay designation requires that a Specific Plan be formulated for large scale, mixed-use multi-phased projects while the

mixed-use (mu) overlay designation permits development of residential uses in conjunction with the underlying commercial designation. In addition, the project is located within Subarea 5A (Huntington Center) of the General Plan. The proposed project includes General Plan and Zoning Amendments that would change the land use and zoning designations to increase and establish the density and intensity of mixed uses on the project site, respectively. Upon project implementation, the uses on the proposed project site would be consistent with the characteristics for Regional Commercial with a mixed use overlay described in the General Plan and Specific Plan No. 13. Because the General Plan and Zoning designation would be amended, the density and intensities identified in Subarea 5A (Huntington Center), and the subarea figure (LU-6) in the General Plan Land Use Element would be changed to reflect this.

The EIR is consistent with the goals, policies and objectives of the City's General Plan as follows:

A. *Air Quality Element*

Goal AQ 1: Improve regional air quality by a) decreasing reliance on single occupancy vehicular trips, b) increasing efficiency of transit, c) shortening vehicle trips through a more efficient jobs-housing balance and a more efficient land use pattern, and d) increasing energy efficiency.

Policy AQ 1.8.1: Continue to enforce construction site guidelines that require truck operators to minimize particulate emission.

Policy AQ 1.8.2: Require installation of temporary construction facilities (such as wheel washers) and implementation of construction practices that minimize dirt and soil transfer onto public roadways.

Objective AQ 1.9: Minimize sensitive uses (residential, hospitals, schools, etc.) exposure to toxic emissions.

Policy AQ 1.10.1: Continue to require the utilization and installation of energy conservation features in all new construction.

The EIR includes discussion of standard City Code Requirements (CR) 4.2-1 through 4.2-5 that address means by which air emissions impacts will be minimized, primarily by complying with the SCAQMD Rule 403 regarding fugitive dust. Code Requirements 4.2-1 through 4.2-5 improve air quality emissions generated by construction activities. The EIR also includes two mitigation measures designed to further minimize air quality impacts related to construction and daily operation of the project. In addition, as a mixed use development, the project provides a more diverse and sizable population for supporting viable alternatives to driving such as walking, biking, and public transit.

The EIR concluded that construction and operation of the proposed project would contribute to greenhouse gas emissions, particularly from mobile sources such as motor vehicles traveling to and from the site and stationary sources such as natural gas combustion for heating and electricity consumption. This impact is considered to be less than significant due to the type and size of the proposed project and the incorporation of design features and greenhouse gas emission reduction measures into the project. The project's compliance with Title 24 and the project's potential green features may include energy conservation measures.

B. *Circulation Element*

Goal CE 2: Provide a circulation system which supports existing, approved and planned land uses throughout the City while maintaining a desired level of service on all streets and at all intersections.

Policy CE 2.1.1: Maintain a city-wide level of service (LOS) not to exceed LOS "D" for intersections during the peak hours.

The EIR includes a detailed traffic analysis of the proposed project and cumulative development. Mitigation Measure 4.13-1 requires the applicant to provide funds on a fair-share basis to construct either an additional northbound through lane on Beach Blvd. or an additional westbound through lane on Edinger Avenue. Either improvement reduces traffic at the intersection to a less than significant level in 2014 even though the intersection would still operate at an LOS of E. The recommended mitigation measure reduces the impacts to the same level as would be projected to occur at the intersection in the year 2014 even without the project.

Objective CE 2.3: Ensure that the location, intensity and timing of new development is consistent with the provision of adequate transportation infrastructure and standards as defined in the Land Use Element.

Policy CE 2.3.1: Require development projects to mitigate off-site traffic impacts and pedestrian, bicycle, and vehicular conflicts to the maximum extent feasible.

Policy CE 2.3.2: Limit driveway access points and require adequate driveway widths onto arterial roadways and require driveways be located to ensure the smooth and efficient flow of vehicles, bicycles, and pedestrians.

The EIR studied the potential design hazards of the project and found none. The project would not introduce design features incompatible with current circulation patterns. To ensure safe construction of project intersections, Code Requirements CR 4.13-1 and 4.13-2 require new intersections to be designed to provide adequate sight distance and intersection traffic control in order to minimize potential hazards.

C. *Environmental Hazards Element*

Goal EH 1: Ensure that the number of deaths and injuries, levels of property damage, levels of economic and social disruption and interruption of vital services resulting from seismic activity and geologic hazards shall be within acceptable levels of risk.

Objective EH 1.1: Ensure that land use planning in the City accounts for seismic and geologic risk, including groundshaking, liquefaction, subsidence, soil and slope stability and water table levels.

Objective EH 1.2: Ensure that new structures are designed to minimize damage resulting from seismic hazards, ensure that existing unsafe structures are retrofitted to reduce hazards and mitigate other existing unsafe conditions.

Policy EH 1.2.1: Require appropriate engineering and building practices for all new structures to withstand groundshaking and liquefaction such as stated in the Uniform Building Code.

The EIR analyzed potential impacts related to environmental hazards. Development of the proposed project would not expose people and/or structures to potentially adverse effects from seismic activity, groundshaking, or liquefaction. Adherence to CR 4.5-1 and Mitigation Measure 4.5-1 require that the grading plan contain the recommendations of the final soils and geotechnical analysis and would reduce the project's impact from seismically induced groundshaking and related ground failure to less than significant.

Goal EH 3: Ensure the safety of the City's businesses and residents from methane hazards.

Objective EH 3.2: Minimize methane hazards in the identified Methane Overlay District, and other areas outside the Methane Overlay Districts as may later be defined, through the regulation of construction and adherence to the City's Methane Hazard Mitigation Plan.

Policy EH 3.2.2: Establish, enforce, and periodically update testing requirements for sites proposed for new construction within the identified Methane Overlay District.

Although the project site is not located within a designated methane gas overlay district, the potential presence of methane gas is a concern due to the proposed below-grade construction. Mitigation Measure 4.6-2 reduces any impacts associated with methane gas by ensuring that appropriate testing and methods of gas detection are implemented at the project site.

D. *Environmental Resources/Conservation Element*

Goal ERC 2: Protect and preserve significant habitats of plant and wildlife species, including wetlands, for their intrinsic values.

Policy ERC 2.1.10: Conduct construction activities to minimize adverse impacts on existing wildlife resources.

Mitigation Measure 4.3-1 requires nesting surveys for migratory avian-protected species prior to the onset of ground disturbance activities, including impact-avoidance measures, to ensure that the substantial loss of these species will not occur.

E. *Growth Management Element*

Goal GM 1: Provide adequate police services to meet the needs of the City's population.

Policy GM 1.1.7: Ensure that new development site design incorporates measures to maximize policing safety and security.

Goal GM 2: Provide adequate fire and paramedic services to meet the needs of the City's population.

Policy GM 2.1.2: Provide a 5-minute response time for emergency fire services at least 80 percent of the time.

Policy GM 2.1.3: Provide a 5-minute response time for paramedic services at least 80 percent of the time.

Policy GM 2.1.4: Ensure that new development site design incorporates measures to maximize fire safety and prevention.

The EIR includes an analysis of potential impacts related to police and fire services and both departments were consulted in the preparation of the EIR. Implementation of the proposed project would not require any new or physically altered fire or police facilities to maintain adequate response time and staffing. To maximize policing safety and security, Mitigation Measure MM 4.11-1 requires the installation of radio antenna receivers in all underground parking structures to allow emergency responders to use their radio systems.

F. *Hazardous Materials Element*

Goal HM 1: Reduce, to the greatest degree possible, the potential for harm to life, property, and the environment from hazardous materials and hazardous waste.

Objective HM 1.1: Promote the proper handling, treatment and disposal of hazardous materials and hazardous waste.

Mitigation Measure 4.6-1 ensures remediation of contaminated soils containing hazardous materials, if any, prior to development of the proposed project and by providing supplemental procedures in the event of unanticipated discoveries of contaminants.

G. *Historic and Cultural Resources Element*

Objective HCR 1.1: Ensure that all of the City's historically and archaeologically significant resources are identified and protected.

The EIR documents all recorded archaeological sites in the vicinity of the project. There are no known cultural resources on or in the vicinity of the project site. As a conservative measure, the EIR recommends Mitigation Measures 4.4-1 through 4.4-3 to reduce impacts to a less than significant level should resources be uncovered during site work.

H. *Housing Element*

Goal H 2: Provide adequate housing sites to accommodate regional housing needs.

Goal H 3: Assist in development of affordable housing.

The EIR includes an analysis of the City's Regional Housing Needs Assessment (RHNA) future housing need as determined by SCAG population projections. Under the existing land use

designation, residential uses are permitted within the mixed-use designation; however, the existing specific plan does not currently permit residential uses. The project would provide needed housing for the City and the region, contributing to the City's progress towards meeting its RHNA numbers. Code Requirement CR 4.10-1, requiring the project to comply with the City's affordable housing requirements, ensures the development of affordable housing.

I. *Land Use Element*

Goal LU 2: Ensure that development is adequately served by transportation infrastructure, utility infrastructure, and public services.

Policy LU 2.1.2: Require that the type, amount, and location of development be correlated with the provision of adequate supporting infrastructure and services (as defined in the Circulation and Public Utilities and Services Elements of the General Plan).

Policy LU 2.1.6: Monitor the capacities of other infrastructure (water, sewer, and other) and services and establish appropriate limits on development should their utilization and demands for service exceed acceptable levels of service.

The EIR analyzes the proposed project's impact on supporting infrastructure and services and found that the demand of the project would be less than significant through implementation of code requirements and mitigation measures, with the exception of certain impacts related to transportation. Mitigation Measure 4.14-1 requires the preparation of a sewer study, prior to issuance of grading permit, to determine if existing sewer lines need to be upgraded to accommodate the project sewer's flow. Mitigation Measure 4.7-1 requires the preparation of a Final WQMP prior to issuance of a precise grading plan to ensure adequate treatment of stormwater runoff. Mitigation Measure 4.7-3 ensures that storm drain capacity is not exceeded and no environmental hazards will be associated with implementation of stormwater detention and dewatering. CR 4.14-1 and CR 4.14-2 ensure the protection of receiving water quality from short- and long-term impacts of new developments. The EIR also includes mitigation measures to minimize transportation impacts, though not all impacts can be reduced to a less than significant level.

J. *Noise Element*

Goal N 1: Ensure that all necessary and appropriate actions are taken to protect Huntington Beach residents, employees, visitors, and noise sensitive uses from the adverse impacts created by excessive noise levels from stationary and ambient sources.

Policy N 1.2.1: Require, in areas where noise levels exceed an exterior L_{dn} of 60 dB(A) and an interior L_{dn} of 45 dB(A), that all new development of "noise sensitive" land uses, such as housing, health care facilities, schools, libraries, and religious facilities, include appropriate buffering and/or construction mitigation measures that will reduce noise exposure to levels within acceptable limits.

Policy N 1.2.3: Require development, in all areas where the ambient noise level exceeds an L_{dn} of 60 dB(A), to conduct an acoustical analysis and incorporate special design measures in their construction, thereby, reducing interior noise levels to the 45 dB(A) L_{dn} level.

The EIR includes a noise analysis consistent with CEQA requirements. The use of HVAC systems and other mechanical equipment associated with the operation of the proposed project would be required to comply with State Building Code requirements and City regulations requiring adequate buffering to mitigate potential increase in ambient noise levels. In addition, the project would be required to minimize noise transmission between commercial and residential uses through the use of building materials to mitigate sound transmission or configuration of interior spaces to minimize sound amplification. With these requirements, the impact on ambient noise levels associated with operation of the project would be less than significant.

Policy N 1.2.5: Require development that generates increased traffic and subsequent increases in the ambient noise levels adjacent to noise sensitive land uses to provide for appropriate mitigation measures in accordance with the acceptable limits of the City noise ordinance.

Operation of the proposed project would generate local traffic as a result of residents, employees, and patrons entering and exiting the site. The increase in traffic could increase the ambient noise levels at off-site locations. The changes in the roadway-generated noise levels would be imperceptible when existing noise levels were compared to future ones. There would be less than significant impacts on the residential and other "noise sensitive" uses.

Objective N 1.6: Minimize the impacts of construction noise on adjacent uses.

Policy N 1.6.1: Ensure that construction activities be regulated to establish hours of operation, to prevent and/or mitigate the generation of excessive or adverse noise impacts through the implementation of the existing Noise Ordinance and/or any future revisions to the Noise Ordinance.

Under the City's Municipal Code, construction activities can only occur between the hours of 7:00 AM and 8:00 PM from Monday through Saturday. The applicant will be required to adhere to these requirements in order to mitigate excessive or adverse noise sources associated with construction activities. Mitigation Measures 4.9-1 and 4.9-2 ensure that impacts associated with construction activities resulting from implementation of the proposed project are minimized to the maximum extent feasible. However, even with limitations on pile driving activities, a temporary increase in ambient noise levels will occur and is considered significant and unavoidable.

K. *Public Facilities and Services Element*

Objective PF 1.1: Provide adequate police facilities and personnel to correspond with population and service demands, and provide protection for the community from illicit activities and crime.

Policy PF 1.3.2: Ensure that new development and land use proposals are analyzed to determine the impact on their operators, occupants, visitors, or customers may have on the safety and welfare of the community.

The EIR includes an analysis of impacts to police facilities and services. Implementation of the proposed project would not significantly impact the level of service delivery for the project area and would not require any new or physically altered police facilities to maintain adequate response times

and staffing. However, to ensure the safety of residents in the proposed building, Mitigation Measure MM 4.11-1 is recommended requiring radio antenna receivers to be installed in all underground parking structures.

Goal PF 2: Ensure adequate protection from fire and medical emergencies for Huntington Beach residents and property owners.

Policy PF 2.3.1: Continue to require all structures to follow all State and nationally recognized fire codes.

The EIR includes an analysis of impacts related to Fire Department response. Implementation of the proposed project would not significantly impact the level of service delivery for the project area and would not require any new or physically altered fire facilities to maintain adequate response times and staffing.

Policy PF 4.2.3: Ensure that development shall not occur without providing for adequate school facilities.

The EIR includes an analysis of potential impacts to schools. The EIR documents that direct population growth resulting from the proposed project would not have an impact on the capacity of schools within the schools serving the project site. With the implementation of code requirements CR 4.11-1 and CR 4.11-2, fees collected would offset any additional increase in educational demand at the elementary school, middle school, and high school levels serving the project site.

Objective PF 5.1: Provide adequate library service that responds to the needs of the community.

The EIR includes an analysis of potential impacts to library service. The existing library facilities are reasonably adequate to accommodate the increase in users from the proposed project. However, implementation of code requirement CR 4.11-3, payment of library and community enrichment impact fees, would ensure that the increased growth would be adequately planned for in advance of project development.

L. *Recreation and Community Services Element*

Policy RCS 2.1.1: Maintain the current park per capita ratio of 5.0 acres per 1,000 persons, which includes the beach in the calculation.

The EIR examines how the project can comply with the City's park requirements. CR 4.12-1 ensures that applicable open space is either dedication or park fees are paid to acquire, develop, improve, and expand the City's open space and parklands inventory.

M. *Urban Design Element*

Goal UD 1: Enhance the visual image of the City of Huntington Beach.

Implementation of the project will change the visual character of the area and introduce new sources of light and glare. The EIR analyzes the potential impacts associated with these changes, including an analysis of impacts to scenic resources and vistas, and the effects of shade and shadow on adjacent uses.

The EIR concludes that impacts associated with light and glare from building facades could be potentially significant and recommends Mitigation Measure MM 4.1-1, which restricts the use of reflective materials. In terms of potential impacts associated with light and glare from nighttime lighting, the EIR concludes that impacts will be less than significant. The EIR documents that potential impacts related to scenic resources, views, and shadows will be less than significant and do not warrant mitigation.

N. *Utilities Element*

Policy U 1.1.1: Monitor the demands on the water system, manage the development to mitigate impacts and/or facilitate improvements to the water supply and distribution system, and maintain and expand water supply and distribution facilities.

Policy U 1.3.2: Continue to require the incorporation of water conservation features in the design of all new and existing uses such as the use of native plants, low flow toilets and water efficient appliances.

The EIR includes an analysis of the project's impact on water supply. Implementation of the proposed project would result in an increase in water demand. To minimize the amount of water required to serve the proposed development, consistent with the City's conservation programs and statewide efforts, a Condition of Approval has been identified. Implementation of the Condition of Approval would reduce the impact of water supply to less than significant.

Policy U 1.2.2: Require new developments to connect to the sewer system.

Policy U 2.1.6: Require that sewer capacity is available before building permits are issued for new development.

Implementation of the proposed project could require new sewer connections and construction of new or expanded wastewater conveyance systems. The project would be required to pay a fee for connection to the Orange County Sanitation District, based on the increase in anticipated use of the sewage system. The fee ensures that all users pay their share of any necessary expansion of the system, including expansion to wastewater treatment facilities. These fees are considered full mitigation for potential impacts resulting from project development. Mitigation Measure 4.14-1 requires the preparation of a sewer study, prior to issuance of grading permit, to determine the size of existing sewer lines that need to be upgraded to accommodate the project sewer's flow. This would ensure that the construction of new or expanded wastewater conveyance systems would not cause significant environmental effects.

Policy U 3.1.6: During development review, determine if any structures meant for human habitation are constructed within the 100-year flood plain. If necessary, evaluate the structures' flood safety, and require remedial actions.

Mitigation Measures 4.7-3 and 4.7-4 along with Condition of Approval 4.7-1 reduce the potential for on-site flooding of underground structures and on-site flood impacts.

Objective U 3.3: Ensure that storm drain facilities (channels and outputs) do not generate significant adverse impacts on the environment in which the facilities traverse or empty.

Mitigation Measure 4.7-1 ensures that the project runoffs are treated prior to discharge into the City storm drain system. Implementation of existing regulations along with MM 4.7-1 would reduce potential pollutant loads and ensure that appropriate construction and operation of stormwater treatment control Best Management Practices (BMPs) are used. Existing regulatory requirements would ensure that construction of any stormwater drainage facilities would not result in substantial environmental effects and potential impacts would be less than significant.

Zoning Compliance: Not applicable.

Urban Design Guidelines Conformance: Not applicable.

Environmental Status:

In accordance with the California Environmental Quality Act (CEQA), EIR No. 07-003 was prepared by PBS&J to analyze the potential environmental impacts associated with implementation of the proposed project as well as identify appropriate mitigation measures. The Draft EIR was distributed to the Planning Commission for review at the start of the 45-day public comment period on July 11, 2008. The Final Draft EIR, including the Response to Comments and all text changes, was distributed to the Planning Commission on October 3, 2008 and posted on the City's website on October 6, 2008.

The document must be adopted and certified by the Planning Commission prior to any action on General Plan Amendment No. 07-001 and Zoning Text Amendment No. 07-002. The procedure that was followed during the preparation of EIR No. 07-003 is outlined below:

The required CEQA procedure that was followed is outlined below:

February 2008	Staff conducted an initial study and determined that an EIR would be required.
March 17, 2008	A Notice of Preparation was filed with the State Clearinghouse to notify public of intent to prepare an EIR.
March 17, 2008 to April 15, 2008	Initial Study/Notice of Preparation available for 30 day public review and comment period.
March 26, 2008	A Public Scoping Meeting was held to solicit comments and

	issue areas to be studied in the EIR.
July 11, 2008	A Notice of Completion was filed with the State Clearinghouse.
July 11, 2008 to August 25, 2008	Draft EIR available for public review and comment for forty-five days.
July 30, 2008	A Public Comment Meeting was held to solicit comments on the adequacy of the Draft EIR.
September 23, 2008	Planning Commission Study Session on EIR process.
October 3, 2008	Final EIR (including Response to Comments on Draft EIR, Text Changes to Draft EIR and Comments) made available for public information and sent to Responsible Agencies. (CEQA requires Response to Comments be sent to Responsible Agencies 10 days prior to certification hearing.)
October 14, 2008	Public hearing is scheduled before Planning Commission to Certify EIR No. 07-003.

Through the use of appropriate mitigation measures identified in the EIR, the majority of the potentially adverse impacts associated with the project can be mitigated to a level of insignificance. There are, however, six project specific and four cumulative adverse environmental impacts anticipated from the proposed project that cannot be completely eliminated through mitigation measures. The adverse environmental impacts are as follows:

Air Quality

- Project Specific – Peak construction activities would generate air emissions that exceed SCAQMD thresholds.
- Project Specific – Daily operations would generate air emissions that exceed SCAQMD thresholds.
- Project Specific – Construction activities would generate air emissions that would exceed localized significance thresholds for CO, NO2, PM10 and PM 2.5.
- Cumulative – Daily operations would result in net increase of criteria pollutant for which the project region is in nonattainment.

Noise

- Project Specific – Pile driving activities would result in substantial temporary increase in ambient noise levels.
- Cumulative – Pile driving activities would result in construction related temporary increases in ambient noise levels, resulting in a cumulative impact.

Population and Housing

- Cumulative – All cumulative residential development contributes to the substantial exceedance of SCAG population projections for the City for 2015.

Traffic

- Project Specific – Under Year 2014 conditions, the project would contribute to projected regional deficiencies on the I-405 freeway.
- Project Specific – Under Year 2030 conditions, the project would contribute to projected regional freeway deficiencies on the I-405 freeway.
- Cumulative – The project contributes to projected deficiencies on the I-405 freeway under Year 2014 and Year 2030 in a cumulative sense.

Environmental impacts associated with implementation of a project may not always be mitigated to a level considered less than significant. In such cases, a Statement of Overriding Considerations (SOC) must be prepared prior to approval of the project. The SOC would describe the specific reasons for approving the project, based on information contained within the Final EIR, as well as any other information in the public record. The SOC for The Village at Bella Terra project is part of the general plan amendment and zoning text amendment staff report.

Environmental Board:

The City's Environmental Board reviewed the EIR and provided a comment letter during the public review period. The letter has been responded to in the Response to Comments located in Volume III: Final EIR. In summary, the Board commented on the following: residential density, population, blight, crime, economic viability of a hotel, park and recreation facilities, traffic, landscaping, and police staffing.

Coastal Status: Not applicable

Redevelopment Status:

The project site is located within a Redevelopment Project area.

Design Review Board: See companion report for GPA and ZTA.

Subdivision Committee: Not applicable.

Other Departments Concerns and Requirements:

The EIR was circulated to other Departments for review and comment. All Department comments and recommendations are incorporated into the EIR and its mitigation measures. As development of the proposed project occurs, compliance with mitigation measures will be enforced through the Mitigation Monitoring and Reporting Program.

Public Notification:

Legal notice was published in the Huntington Beach Independent on October 2, 2008, and notices were sent to property owners of record and occupants within a 1,000 ft. radius of the subject property, individuals/organizations requesting notification (Planning Department's Notification Matrix), applicant, interested parties, and individuals/organizations that commented on the environmental document. As of

October 6, 2008, no communication supporting or opposing the request, other than letters included in the Final EIR/Response to Comments, have been received.

Application Processing Dates:

DATE OF COMPLETE APPLICATION:	MANDATORY PROCESSING DATE(S):
Draft EIR: July 11, 2008	Within 1 year of complete application or by July 11, 2009
General Plan Amendment: Not Applicable	Not Applicable
Zoning Text Amendment: Not Applicable	Not Applicable

ANALYSIS:

The analysis section provides an overview of the EIR and its conclusions, a review of the project alternatives, and a summary of the response to comments.

EIR Overview

The EIR provides a detailed analysis of potential impacts associated with the proposed project. It is intended to serve as an informational document for decisions to be made by the City and responsible agencies regarding the project. The issues discussed in the EIR are those that have been identified in the course of extensive review of all potentially significant environmental impacts associated with the project. The EIR discusses potential adverse impacts in 14 issue areas. The direct, indirect and cumulative impacts of the project are addressed, as are the impacts of project alternatives. A summary of key issues and mitigation measures as a result of the environmental impact report process is provided below. A complete listing of the recommended mitigation measures is provided in the Mitigation Monitoring Program provided as Attachment No. 3.

- Aesthetics

Implementation of the project will change the visual character of the area and introduce new sources of light and glare. The EIR analyzes the potential impacts associated with these changes, including an analysis of impacts to scenic resources and vistas, and the effects of shadows on adjacent uses.

The EIR concludes that impacts associated with light and glare from building facades could be potentially significant and recommends Mitigation Measure MM 4.1-1, which restricts the use of reflective materials. In terms of potential impacts associated with light and glare from nighttime lighting, the EIR concludes that impacts will be less than significant. The EIR documents that potential impacts related to scenic resources, views, and shadows will be less than significant and do not warrant mitigation.

- Air Quality

Air quality modeling was completed by PBS&J to assess potential impacts related to construction and operation of the project. Consistent with the South Coast Air Quality Management District's (SCAQMD) recommendations, the EIR analyzed the following emissions: Ozone (O_3), Carbon Monoxide (CO), Respirable Particulate Matter (PM_{10}) and Fine Particulate Matter ($PM_{2.5}$), Nitrogen Dioxide (NO_2), Sulfur

Dioxide (SO_2), Lead (Pb), and Toxic Air Contaminants (TACs). In addition, the EIR examined if localized CO concentrations at nearby intersections would be increased beyond state and national standards as a result of increased vehicle traffic.

Construction Impacts

The EIR discusses five standard City requirements to improve air quality emissions during construction. CR 4.21-1 through 4.2-5 would require signage of contact information of the contractor's superintendent, noticing of grading activity to all property owners and tenants, a grading/erosion control plan, minimizing construction disturbance, and installation of wind barriers. The EIR also recommends two mitigation measures to further reduce air quality impacts. MM 4.2-1 would require all construction equipment be turned off when not in use and MM 4.2-2 would require the use of low VOC paints on all exterior surfaces at the proposed project site. However, even with these code requirements and mitigation measures to reduce emissions during construction, VOC emissions and NOx emissions would remain above the thresholds established by the SCAQMD for both Option 1 and Option 2 and would remain significant and unavoidable. Estimated NOx emissions for Option 1 and 2 are equal while VOC emissions for Option 2 exceed the threshold to a greater degree than Option 1.

The EIR also studied localized CO 1-hour concentrations, CO 8-hour concentrations, NO_2 1-hour concentrations, and PM_{10} 24-hour concentrations and determined the project would not exceed SCAQMD thresholds during construction at any of the identified sensitive receptors. However, development under both Option 1 and Option 2 would exceed the SCAQMD threshold for $PM_{2.5}$ emissions during proposed project construction. Implementation of the identified code requirements and mitigation measures would reduce this impact, but not to a less-than-significant level. Therefore, this construction related impact would remain significant and unavoidable and would be equivalent for both options.

Daily Operation Impacts

The EIR determined that operation of the project will generate daily emissions that exceed the thresholds of significance for both Option 1 and Option 2, resulting in a significant and unavoidable impact. This impact is due to emissions from mobile sources, such as vehicles, traveling to and from the site. Option 2 exceeds the thresholds to a greater degree than Option 1. However, the EIR analysis determined that the proposed project will not cause localized CO concentrations at nearby intersections to exceed national or state ambient air quality standards. Therefore, "hot spots" are not anticipated to occur at local intersections as a result of project implementation.

The EIR concludes that construction and operation of the proposed project would contribute to greenhouse gas emissions, particularly from mobile sources such as motor vehicles traveling to and from the site and stationary sources such as natural gas combustion for heating and electricity consumption. This impact is considered to be less than significant due to the type and size of the proposed project and the incorporation of design features and greenhouse gas emission reduction measures into the project. The project's adherence to California Air Pollution Control Officers Association's measures for reducing climate change emissions would ensure that construction and operational impacts from the project remain less than significant with respect to climate change.

Project specific impacts that are significant and unavoidable remain significant and unavoidable when studied in a cumulative sense as well.

- Biological Resources

The EIR includes an analysis of potential impacts to plant and wildlife. Although the EIR concludes no significant impacts to biological resources, a mitigation measure is recommended to address potential impacts to migratory avian species that may use the large trees on the western boundary of the site for nesting during breeding season. Mitigation Measure MM 4.3-1 entails nesting surveys, avoidance measures, and appropriate agency consultation for sensitive species.

- Cultural Resources

According to the cultural resources records check completed for the project, four previous cultural resources investigations have been conducted within a half-mile radius of the project site, one of which (OR1) was located within the project site. The investigation on the project site, OR1, was performed in 1973. The existing commercial shopping center was constructed prior to this study (in 1966), therefore, it is possible that OR1 was performed at a nearby location rather than on the actual project site.

The EIR concludes that because the project site and vicinity are known to be archaeologically sensitive, the potential exists for unanticipated finds of archaeological resources during ground-disturbing activities associated with project implementation, even though portions of the site near the ground surface have previously been disturbed. The EIR recommends three mitigation measures to reduce impacts to these resources, if found, to less than significant, including on-site monitors during grading, trenching and other excavation activities. MM 4.4-1 would require a qualified professional archaeological and paleontological to be present during all project-related ground-disturbing activities. MM 4.4-2 would require all construction activities to cease until the archaeologist/paleontologist evaluates the significance of the resource. MM 4.4-3 would require the halting of excavation or grading activities if a burial, human bone, or suspected human bone is discovered.

- Geology and Soils

The EIR includes an analysis of existing geology, seismicity and soil conditions that would be conducive to geological constraints such as liquefaction or expansive soils. The analysis is based on the preliminary geotechnical study completed for the project, which determined that the project is feasible from a geotechnical perspective. The EIR concludes that implementation of the project will require the submittal of a detailed soils and geotechnical analysis as described in Code Requirement 4.5-1 and compliance with Mitigation Measure 4.5-1 to minimize potential impacts to less than significant levels. The mitigation measure requires compliance with the recommendations of all soils and geotechnical studies.

- Hazards and Hazardous Materials

The EIR analyzes the potential for adverse impacts associated with hazardous materials on human health and the environment resulting from project implementation. The proposed project site was in agricultural use beginning sometime prior to 1938. In the mid-1960s, the adjacent site was cleared and developed as a shopping center, which was redeveloped in 2005. Montgomery Ward and the auto service building were

constructed approximately in 1966 and are currently vacant. Underground and aboveground storage tanks have been historically present at the proposed project site. Seven underground storage tanks were historically present on the site. The tanks were used for storage of fuel and new and used motor oil. During the site reconnaissance, small aboveground oil tanks were observed within the former automotive center. Furthermore, during the site reconnaissance, evidence of hazardous material use within the automotive center included the presence of waste oils, greases, automotive battery storage, and patched asphalt indicative of former underground storage tank locations. Minor oil stains and small containers of what appeared to be waste oil were also observed within the vicinity of the automotive center building. Based on the date of building construction (1966), there is a potential for asbestos-containing materials and lead-based paint to be present on site.

The EIR identifies three mitigation measures to reduce potential impacts to a level of insignificance. MM 4.6-1 would require a Risk Management Plan to be prepared and implemented if contaminants are encountered during construction and MM 4.6-2 would require appropriate testing and methods of methane gas detection to be implemented at the project site. MM 4.6-3 requires a soil testing work plan to ensure all native and imported soils meet the City's Specification No. 431-92 prior to approval of grading plans.

- Hydrology and Water Quality

Construction and operation of a future mixed use project on the site would increase stormwater pollutant loads that could result in a violation of waste water discharge requirements or water quality standards. All construction activities would be subject to existing regulations, which are considered protective of water quality and would therefore prevent violation of water quality standards during construction activities. In addition, implementation of the project would alter the project site runoff characteristics that could result in more on-site erosion and off-site siltation. Mitigation Measure 4.7-1 requires that a Final WQMP be prepared in order to ensure that pollutants in stormwater runoff are reduced to the maximum extent practicable. Implementation of the existing regulations along with MM 4.7-1 would reduce potential pollutant loads and ensure that appropriate Best Management Practices are used.

Development of the site would not result in a substantial overall change in the amount of impervious surfaces. However, a project may substantially alter the project site drainage by grading to change drainage direction, infrastructure alterations that could alter drainage areas, and changes to the amount of impervious surfaces draining to Edinger Avenue. Implementation of mitigation measure MM 4.7-3 would require the Applicant to prepare a Hydrology and Hydraulics Report and Site Development and Drainage Plan that incorporates stormwater attenuation to reduce project site runoff to meet City design standards for stormflow in Edinger Avenue and the adjacent Murdy Channel. This would ensure that storm drain system capacity is not exceeded and there would be no human health or environmental hazards associated with implementation of stormwater detention and dewatering. Project condition of approval CoA 4.7-1 requires the Applicant to prepare a site Grading and Drainage Plan containing the recommendations of the final Soils and Geotechnical Reports analysis for temporary and permanent groundwater dewatering as well as for surface drainage. Mitigation Measure 4.7-2 requires the applicant to prepare a Groundwater Hydrology Study so that dewatering activities do not interfere with nearby water supplies. This would serve to minimize potential effects of temporary or permanent groundwater dewatering.

Because development would occur within a FEMA-defined flood hazard area Zone A and City Floodplain Overlay F2 designated area, the Applicant proposes to raise the building pads in accordance with the requirements in the HBZSO as it pertains to construction in a flood zone. In addition, Mitigation Measure MM 4.7-4 requires the applicant to design and implement project site drainage features to minimize stormwater runoff and flood waters from entering into below-ground structures or otherwise contribute to flood hazards. Implementation of existing code requirements and mitigation measures MM 4.7-3 and MM 4.7-4 would reduce the potential for on-site flooding of underground structures and other areas.

- Land Use and Planning

The proposed project consists of legislative acts to implement a mixed-use residential and commercial development. The proposed amendments to the General Plan land use designation and the Specific Plan to increase mixed-use density and intensity and establish residential development standards in Specific Plan No. 13 facilitate future development of a mixed use project.

The EIR analyzes the General Plan and Zoning text amendment on the project site to increase the density, intensity, number of stories, and overall floor area ratio for mixed use development and establish residential development standards in the zoning document. The current General Plan designation already allows a mixed use development at a lower intensity. Since the project area and surrounding vicinity is targeted for revitalization activities, including high-density mixed use developments, the change in land use designation is consistent with the vision for the area and the policies encouraging mix of uses that are compatible and harmonious with surrounding development. The EIR concludes that the proposed project would not represent a new land use on the site and in the immediate area and would not in itself result in environmental impacts related to land use and planning. The project would be consistent with the applicable goals, objectives, and policies of the General Plan. As such, there will not be any significant land use impacts as a result of the project.

- Noise

Potential noise impacts relate to short-term construction activities and long-term changes in ambient conditions relate to an increase in traffic. Ambient noise levels were measured at five locations around the project site and roadway noise levels were calculated using data from the traffic study. In terms of the short-term noise impacts from construction, the City's noise ordinance exempts noise associated with construction provided the construction takes place between the hours of 7:00 A.M. and 8:00 P.M. Monday through Saturday. Despite this exemption, to further reduce less-than-significant impacts the EIR recommends Mitigation Measure MM 4.9-1 to implement noise attenuation measures that may include the use of noise barriers or noise blankets as well as limitations on hours for pile-driving activities. The EIR also identifies the potential for construction-related noise impacts to noise-sensitive sites such as Old World Village and Seawind Apartments. Mitigation Measure MM 4.9-2 is recommended to require the construction staging areas and earthmoving equipment be located as far away from noise and vibration-sensitive land uses as possible to reduce these impacts. Even with these two mitigation measures, noise levels during pile driving would raise the ambient noise levels to a significant level for approximately seven months. This construction related temporary increase in noise levels would be significant and unavoidable.

In order to ensure that operation noise levels do not exceed the City of Huntington Beach exterior and interior noise standards for the residential component of the proposed project, MM 4.9-3 requires submittal of an acoustical study for the residential unit design.

The EIR also examined the potential for noise impacts associated with traffic related noise on other street segments in the project vicinity and concluded that no significant impacts would occur.

- Population and Housing

This section of the EIR analyzes the potential for the project to induce population and employment growth beyond current growth projections and the impacts on housing. Although the proposed project site is currently designated for mixed use commercial and residential uses, increased population on the site has not been anticipated in the General Plan at the level which is now proposed. The project would provide increases to needed housing to the City and the region, contributing to the City's progress towards meeting its Regional Housing Needs Assessment (RHNA) numbers. Option 1 of the proposed project would provide up to 713 residential units while Option 2 of the proposed project would provide up to 538 units. Further, with a projected population increase of 1,889 (Option 1) or 1,426 (Option 2) persons, the project would represent only between a 0.87 and 0.66 percent of SCAG's projected population increase for 2015.

As the site is currently designated for regional commercial uses with a mixed-use overlay, the General Plan build out already assumes 396 residential units or 1,049 residents on-site. Compared to the existing General Plan designation, Option 1 would result in an increase of 317 units or 840 persons and Option 2 would result in an increase of 142 units and 377 persons. Thus, these project specific population impacts are insignificant.

The EIR documents that the project does not yet have a fully defined or approved affordable housing plan, but its location in a Redevelopment Project area requires at least 15 percent of total units to be provided as affordable housing. Code Requirement CR 4.10-1, describing the need to comply with the Zoning Code Affordable Housing provisions, is included to ensure that impacts relative to the provision of affordable housing are less than significant.

The proposed project would develop uses that, in combination with cumulative development anticipated in the Beach-Edinger Specific Plan area, would increase population and housing opportunities in Huntington Beach and in neighboring cities. This growth would serve the existing population and help to meet anticipated housing demand in the City and County. However, because all cumulative residential development would contribute to the substantial exceedance of SCAG population projections for the City in the 2015 timeframe, the proposed project would have a considerable contribution to the cumulative impact. Specifically, the cumulative residential projects (including The Village at Bella Terra) could result in approximately 19,772 to 20,235 new residents. This increase in cumulative population growth within Huntington Beach represents approximately 5,200 to 5,663 residents more than the total anticipated growth through 2015 (14,572 residents), assuming full occupancy of all projects. Because this substantial increase would exceed SCAG's 2015 projections, this is considered a significant cumulative impact.

- Public Services

The EIR evaluates the effects of the proposed project on public services (fire, police, schools and libraries) by identifying anticipated demands on existing and planned service availability. Both the Fire and Police Departments concluded that they have adequate staffing to serve the project. Mitigation Measure MM 4.11-1 requiring radio antenna receivers to be installed in all underground parking structures is recommended to facilitate police response and service in the proposed building. The existing library facilities are reasonably adequate to accommodate the increase in users from the proposed project. However, implementation of code requirement CR 4.11-3, payment of library and community enrichment impact fees, would ensure that the increased growth would be adequately planned for in advance of project development. Direct population growth resulting from the proposed project would not have an adverse impact on the capacity of schools within the schools serving the project site as they are below capacity. With the implementation of code requirements CR 4.11-1 and CR 4.11-2, fees collected would offset any additional increase in educational demand at the elementary school, middle school, and high school serving the project site.

- Recreation

The City requires that new residential projects dedicate parkland, improve parkland, pay park in-lieu fees, or some combination thereof, to ensure that adequate recreation facilities are available. As a General Plan amendment and zoning text amendment, the project does not include dedicated open space or parklands. With the implementation of code requirement CR 4.12-1 at the time of development, payment of applicable open space and park fees and/or dedication of land, would ensure no significant impacts to recreation opportunities.

- Transportation/Traffic

The EIR examines the potential impacts related to traffic generation, parking demand and access. A project specific traffic study was completed that includes an analysis of traffic conditions in Year 2014 and Year 2030 to assess potential impacts at project buildout and the long-term effect of the project in conjunction with other growth within the city. Option 2 (Increased Commercial) of the proposed project represents the worst-case scenario in terms of traffic-related impacts. Therefore, in order to present a reasonable worst-case analysis, the analysis reflects the traffic volumes associated with Option 2. It is assumed that all traffic impacts for Option 1 would be similar to, although slightly less than, those identified for Option 2.

Future development under either Option 1 or Option 2 of the proposed project would generate more AM peak hour trips and less PM peak hour and daily trips, than trips generated under the current General Plan land use designations for the project site. Further, projected traffic volumes under Option 1 and Option 2 would be less than what could occur if site buildout were to occur as allowed under the existing General Plan designation.

As defined by the City of Huntington Beach Circulation Element, an acceptable level of service (LOS) for intersections is LOS D. Therefore, any intersection operating at LOS E or F is considered deficient/ unsatisfactory. In addition, an intersection is also considered impacted if the LOS is E or F and the Intersection Capacity Utilization (ICU) value changes by 0.01 or more. Out of twenty intersections evaluated in the vicinity of the project site, the EIR documents that three intersections are projected to

operate at LOS E during the PM peak hour. However, these three intersections (Goldenwest at Bolsa, Beach at Edinger, and Beach at Warner) are projected to operate at LOS E with or without the project. One of the three intersections, Beach and Edinger, would result in an ICU increase of 0.01 percent or more. Therefore, MM 4.13-1 requires the applicant to provide a fair-share contribution to construct either an additional northbound through lane or an additional westbound through lane at the intersection of Beach Boulevard and Edinger Avenue to reduce traffic impacts to a less than significant level.

The project would contribute to projected regional deficiencies of the I-405 northbound loop ramp from Beach Boulevard as well as the freeway weave sections, the freeway mainline sections, and the Beach Boulevard collector-distributor roads. Since the project traffic would be added to an existing deficiency (in both 2014 and 2030) on the I-405 and in the absence of significance criteria from Caltrans, the addition of the project's traffic is considered significant and unavoidable.

The proposed project would have three access locations from adjacent public streets. To ensure safe construction of project intersections, code requirements CR 4.13-1 and CR 4.13-2 would require adequate sight distance and intersection traffic control in order to minimize potential hazards.

- Utilities and Service Systems

This section of the EIR analyzes potential impacts to water, wastewater and solid waste services. Implementation of future development would result in an increase in water demand. To ensure that the City has a sufficient supply of water available to serve development consistent with the City's conservation programs and statewide efforts, a condition of approval regarding water conservation has been identified. Implementation of a project could require new sewer connections and construction of new or expanded wastewater conveyance systems. Mitigation Measure 4.14-1, requiring a sewer study to determine sizing of line upgrades to accommodate the project's sewer flow, would ensure that the construction of new or expanded wastewater conveyance systems would not cause significant environmental effects. Future development would involve the construction and operation of stormwater treatment control Best Management Practices (BMPs) that would be identified in a Water Quality Management Plan (WQMP). The City has general/standard conditions of approval to protect receiving water quality from short- and long-term impacts of new development which include code requirements CR 4.14-1 and CR 4.14-2 relating to submittal of storm drain plans and specifications. The EIR concludes impacts related to solid waste and energy would be less than significant.

Alternatives to the Proposed Project

CEQA requires that an EIR describe a range of reasonable alternatives to the project or its location that could feasibly attain the basic objectives of the project, but would avoid or substantially lessen any of the significant impacts of the project. An EIR need not consider every conceivable alternative to a project; rather, it must consider a range of potentially feasible alternatives that will foster informed decision-making and public participation. An EIR should also evaluate the comparative merits of the alternatives. Three alternatives were selected for detailed analysis in the Draft EIR:

- Alternative 1: No Project/No Development Alternative – Assumes the site would remain in its existing condition with a vacant 190,100 square foot retail use and a vacant 18,600 square foot auto repair use. Under this alternative, no site improvements would be made.

- Alternative 2: No Project/Reasonably Foreseeable Development under the current General Plan – Assumes the site would be developed with 396 residential units (690,426 square feet) along with 345,213 square feet of commercial space. In general, this alternative would result in similar, although generally reduced, environmental impacts as compared to either Option 1 or Option 2 of the proposed project. However, overall air quality impacts and transportation impacts would be increased.

- Alternative 3: Reduced GPA/ZTA Project – Analyzes a reduced intensity of the proposed project: development of 538 residential units and 138,085 sq. ft. of commercial uses. In general, this alternative would result in similar, although generally reduced, environmental impacts as compared to either Option 1 or Option 2 of the proposed project.

Alternative 1 would result in no new environmental effects but would not meet the identified project objectives. Alternative 2 would result in greater air quality and transportation impacts and would not meet the identified project objectives.

Alternative 3 would result in similar impacts as the proposed project in aesthetics, biological resources, cultural resources, geology and soils, hazards and hazardous materials, hydrology and water quality, land use, noise, public services, and recreation. Alternative 3 would result in impacts that are slightly less than the proposed project in areas of air quality, population and housing, transportation, and utilities and services systems. While this Alternative may result in a slight reduction of most environmental impacts, it would not necessarily reduce the significance of the impacts below the proposed project. Implementation of this Alternative would reduce the significant and unavoidable operational air quality impact caused by the proposed project but not to a less-than-significant level. Air quality impacts from mobile sources would be reduced for all six measured emissions but would remain significant and unavoidable for NOx and CO emissions. Alternative 3 would satisfy some, but not all of the identified project objectives related to the development of dense residential uses within close proximity to commercial and regional activities to the same degree as the proposed project. The Draft EIR identifies Alternative 3 as the environmentally superior alternative.

Statement of Overriding Considerations

Environmental impacts associated with implementation of a project may not always be mitigated to a level considered less than significant. In such cases, a Statement of Overriding Considerations must be prepared prior to approval of the project, and in accordance with CEQA Guidelines Sections 15091 and 15093. Because implementation of the proposed project would create significant unavoidable impacts as described above in the Air Quality, Noise, Population and Housing, and Transportation/Traffic sections, a Statement of Overriding Considerations (SOC) is required to describe the specific reasons for approving the project, based on information contained within the Final EIR, as well as any other information in the public record. The SOC is part of the companion report for this project.

Public Comments on the Draft EIR and Errata Changes

During the public review period, the City of Huntington Beach received a total of five comment letters from two state agencies, two organizations, and one individual. In addition, one comment card and verbal comments were received at the public meeting held during the comment period. The most frequent verbal

and written comments relate to traffic congestion and density increase. The comments resulted in the need for one minor change to the EIR document itself to add a unit of measure for 200 cubic yards in the discussion under grading and erosion control. The correction does not change the conclusions of the EIR analysis. All of the other comments are adequately addressed in the Response to Comments.

The Final EIR includes a number of other revised text sections as a result of needed corrections as identified by staff or in response to comments from the Planning Commission at the September 23, 2008 Study Session. Notably, clarifications regarding mitigation measures for soil and/or groundwater contamination and compliance with City parkland requirements were updated and corrected.

Any written communication received subsequent to the preparation of this staff report will be forwarded to the Planning Commission under separate cover.

SUMMARY:

Environmental Impact Report No. 07-003 serves as an informational document with the sole purpose of identifying potential environmental impacts associated with The Village at Bella Terra project, alternatives that minimize those impacts, and appropriate mitigation measures.

Staff recommends that the Planning Commission certify EIR No. 07-003 because:

- The EIR has been prepared in accordance with the California Environmental Quality Act;
- The EIR adequately addresses the environmental impacts associated with the proposed project; and
- The EIR identifies project alternatives and mitigation measures to lessen the project's impacts consistent with General Plan policies.

ATTACHMENTS:

1. Resolution No. 1625
2. Final EIR No. 07-003, includes Draft EIR, EIR Appendices, Response To Comments and Text Changes
3. Mitigation Monitoring and Reporting Program

SH:HF:MBB:JJ:lw

RESOLUTION NO. 1625

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HUNTINGTON BEACH, CALIFORNIA, CERTIFYING THE FINAL ENVIRONMENTAL IMPACT REPORT (SCH# 2008031066) FOR THE VILLAGE AT BELLA TERRA PROJECT

WHEREAS, Environmental Impact Report No. 07-003, State Clearinghouse # 2008031066, ("EIR") was prepared by the City of Huntington Beach ("City") to address the environmental implications of The Village at Bella Terra project (the "Project").

- On March 14, 2008, a Notice of Preparation/Initial Study for the Project was prepared and distributed to the State Clearinghouse, other responsible agencies, trustee agencies and interested parties.

- After obtaining comments received in response to the Notice of Preparation, and comments received at the public scoping meeting held on March 26, 2008, the City completed preparation of the Draft EIR and filed a Notice of Completion with the State Clearinghouse on July 11, 2008.

- The Draft EIR was circulated for public review and comment from July 11, 2008 to August 25, 2008 and was available for review at several locations including City Hall, the Huntington Beach Public Library, and the City's website; and

WHEREAS, public comments have been received on the Draft EIR, and responses to those comments have been prepared and provided to the Planning Commission as a section within a separately bound document entitled "Volume III: Final Environmental Impact Report The Village at Bella Terra" (the "Responses to Comments"), dated October 3, 2008; and

WHEREAS, Public Resources Code 21092.5(a) requires that the City of Huntington Beach provide a written response to any public agency that commented on the Environmental Impact Report, and the Response to Comments included in the Final Environmental Impact Report satisfies this provision; and

WHEREAS, the Planning Commission held a public meeting on the EIR on October 14, 2008, and received and considered public testimony.

NOW, THEREFORE, the Planning Commission of the City of Huntington Beach, California, **DOES HEREBY RESOLVE,** as follows:

SECTION 1. Consistent with CEQA Guidelines Section 15132, the Final EIR for the Project is comprised of the Draft EIR and Appendices, the comments received on the Draft EIR, the Responses to Comments (including a list of persons, organizations, and public agencies commenting on the Draft EIR), the Text Changes to the Draft EIR

(bound together with the Responses to Comments) and all Planning Department Staff Reports to the Planning Commission, including all minutes, transcripts, attachments and references. All of the above information has been and will be on file with the City of Huntington Beach Department of Planning, 2000 Main Street, Huntington Beach, California 92648.

SECTION 2. The Planning Commission finds and certifies that the Final EIR is complete and adequate in that it has identified all significant environmental effects of the Project and that there are no known potential environmental impacts not addressed in the Final EIR.

SECTION 3. The Planning Commission finds that all significant effects of the Project are set forth in the Final EIR.

SECTION 4. The Planning Commission finds that although the Final EIR identifies certain significant environmental effects that will result if the Project is approved, all significant effects which can feasibly be mitigated or avoided have been mitigated or avoided by the incorporation of Project design features, standard conditions and requirements, and by the imposition of mitigation measures on the approved Project. All mitigation measures are included in the "Mitigation Monitoring and Reporting Checklist" (also referred to as the "Mitigation Monitoring Program") attached as Exhibit "A" to this Resolution and incorporated herein by this reference.

SECTION 5. The Planning Commission finds that the Final EIR has described reasonable alternatives to the Project that could feasibly obtain the basic objectives of the Project (including the "No Project" Alternative), even when these alternatives might impede the attainment of Project objectives and might be more costly. Further, the Planning Commission finds that a good faith effort was made to incorporate alternatives in the preparation of the Draft EIR and that a reasonable range of alternatives was considered in the review process of the Final EIR and ultimate decisions on the Project.

SECTION 6. The Planning Commission finds that no "substantial evidence" (as that term is defined pursuant to CEQA Guidelines Section 15384) has been presented which would call into question the facts and conclusions in the EIR.

SECTION 7. The Planning Commission finds that no "significant new information" (as that term is defined pursuant to CEQA Guidelines Section 15088.5) has been added to the EIR after circulation of the Draft EIR. The Planning Commission finds that the minor refinements that have been made in the Project as a result of clarifications in the mitigation measures do not amount to significant new information concerning the Project, nor has any significant new information concerning the Project become known to the Planning Commission through the public hearings held on the Project, or through the comments on the Draft EIR and Responses to Comments.

SECTION 8. The Planning Commission finds that the Mitigation Monitoring Program establishes a mechanism and procedures for implementing and verifying the

mitigations pursuant to Public Resources Code 21081.6 and hereby adopts the Mitigation Monitoring Program. The mitigation measures shall be incorporated into the Project prior to or concurrent with Project implementation as defined in each mitigation measure.

SECTION 9. The Planning Commission finds that the Final EIR reflects the independent review and judgment of the City of Huntington Beach Planning Commission, that the Final EIR was presented to the Planning Commission, and that the Planning Commission reviewed and considered the information contained in the Final EIR prior to approving General Plan Amendment No. 07-001 and Zoning Text Amendment No. 07-002.

SECTION 10. The Planning Commission finds that the Final EIR serves as adequate and appropriate environmental documentation for the Project. The Planning Commission certifies that the Final EIR prepared for the Project is complete, and that it has been prepared in compliance with the requirements of the California Environmental Quality Act and CEQA Guidelines.

PASSED, APPROVED, and **ADOPTED,** this 14th day of October 2008 by the following roll call vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

ATTEST:

Scott Hess, Secretary

Chairperson, Planning Commission

Exhibit A: Mitigation Monitoring and Reporting Checklist

ATTACHMENT NO. 1-3

EXHIBIT A

OF RESOLUTION NO. 1625

REFER TO ATTACHMENT NO. 3 OF

ENVIRONMENTAL IMPACT REPORT NO. 07-003

STAFF REPORT DATED OCTOBER 14, 2008

ATTACHMENT NO. 1.4

ATTACHMENT NO. 2

DRAFT EIR, FINAL EIR including RESPONSE TO COMMENTS AND TEXT CHANGES CAN BE REVIEWED AT:

DEPARTMENT OF PLANNING
2000 MAIN STREET, HUNTINGTON BEACH
CITY HALL – 3RD FLOOR

&

ON THE CITY'S WEBSITE:

http://www.surfcity-hb.org/Government/Departments/Planning/major/BTVillage.cfm

City of Huntington Beach

The Village at Bella Terra Project

Final Environmental Impact Report:
SCH No. 2008031066

Mitigation Monitoring and Reporting Program

Prepared for
City of Huntington Beach
Planning Department
2000 Main Street, Third Floor
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ATTACHMENT NO. 3.1

Mitigation Monitoring Program

A. INTRODUCTION

The Final Environmental Impact Report for The Village at Bella Terra Project (State Clearinghouse #2008031066) identified mitigation measures to reduce the adverse effects of the project in the areas of: aesthetics, air quality, biological resources, cultural resources, geology and soils, hazards and hazardous materials, hydrology and water quality, noise, public services, transportation/traffic, and utilities and service systems.

The California Environmental Quality Act (CEQA) requires that agencies adopting environmental impact reports ascertain that feasible mitigation measures are implemented, subsequent to project approval. Specifically, the lead or responsible agency must adopt a reporting or monitoring program for mitigation measures incorporated into a project or imposed as conditions of approval. The program must be designed to ensure compliance during applicable project timing, e.g. design, construction, or operation (Public Resource Code §21081.6). Code Requirements (CRs) that were identified in the Draft EIR are required to be implemented as a result of existing City code and are not considered mitigation measures. Therefore, CRs would be implemented for The Village at Bella Terra Project but these do not require monitoring activity, and are not included in this Mitigation Monitoring and Reporting Program (MMRP).

In addition, the CAPCOA Mitigation Measures listed in Table 4.2-21 and the CAT GHG Emissions Reduction Mitigation Measures/Design Strategies listed in Table 4.2-22 of the Draft EIR are required to be implemented.

The MMRP shall be used by the City of Huntington Beach staff responsible for ensuring compliance with mitigation measures associated with The Village at Bella Terra Project. Monitoring shall consist of review of appropriate documentation, such as plans or reports prepared by the party responsible for implementation or by field observation of the mitigation measure during implementation.

The following table identifies the mitigation measures by resource area. The table also provides the specific mitigation monitoring requirements, including implementation documentation, monitoring activity, timing and responsible monitoring party. Verification of compliance with each measure is to be indicated by signature of the mitigation monitor, together with date of verification.

The Project Applicant and the Applicant's Contractor shall be responsible for implementation of all mitigation measures, unless otherwise noted in the table.

ATTACHMENT NO. 3.2

Mitigation Monitoring and Reporting Program

Mitigation Measure	*Implementation Documentation*	*Monitoring Activity*	*Timing*	*Responsible Monitor*	*Compliance Verification Signature*	*Date*
Aesthetics						
MM4.1-1 To the extent feasible, the Applicant shall use non-reflective façade treatments, such as matte paint or glass coatings. Prior to issuance of building permits for the proposed project, the Applicant shall indicate provision of these materials on the building plans.	Project building plans	Review and approve building plans for inclusion of features	Plan check prior to issuance of building permit	Planning	_____	____
Air Quality						
MM4.2-1 During construction, operators of any gas or diesel fueled equipment, including vehicles, shall be encouraged to turn off equipment if not in use or left idle for more than five minutes.	Contract language and notes on grading and building plans	Review and approve contract specifications, grading and building plans for inclusion	Plan check prior to issuance of a grading permit Perform periodic field check during construction to ensure compliance	Planning	_____	____
MM4.2-2 The Applicant shall require by contract specifications that the architectural coating (paint and primer) products used would have a low VOC rating. Contract specifications shall be included in the proposed project construction documents, which shall be reviewed by the City prior to issuance of a building permit.	Contract language and notes on building plans	Review and approve contract specifications and building plans for inclusion	Plan check prior to issuance of a building permit	Planning	_____	____
MM4.2-3 The Applicant shall require by contract specifications that electrical outlets are included in the building design of the loading docks to allow use by refrigerated delivery trucks. The proposed project Applicant shall require that all delivery trucks do not idle for more than five minutes. If loading and/or unloading of perishable goods would occur for more than five minutes, and continual refrigeration is required, all refrigerated delivery trucks shall use the electrical outlets to continue powering the truck refrigeration units when the delivery truck engine is turned off.	Contract language and notes on building plans	Review and approve contract specifications and building plans for inclusion	Plan check prior to issuance of a building permit	Planning	_____	____

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Mitigation Measure	*Implementation Documentation*	*Monitoring Activity*	*Timing*	*Responsible Monitor*	*Compliance Verification Signature*	*Date*
Biological Resources						
MM4.3-1 Nesting habitat for protected or sensitive avian species: 1. Vegetation removal and construction shall occur between September 1 and January 31 whenever feasible. 2. Prior to any construction or vegetation removal between February 15 and August 31, a nesting survey shall be conducted by a qualified biologist of all habitats within 500 feet of the construction area. Surveys shall be conducted no less than 14 days and no more than 30 days prior to commencement of construction activities and surveys will be conducted in accordance with CDFG protocol as applicable. If no active nests are identified on or within 500 feet of the construction site, no further mitigation is necessary. A copy of the pre-construction survey shall be submitted to the City of Huntington Beach. If an active nest of a MBTA protected species is identified onsite (per established thresholds) a 250-foot no-work buffer shall be maintained between the nest and construction activity. This buffer can be reduced in consultation with CDFG and/or USFWS. 3. Completion of the nesting cycle shall be determined by qualified ornithologist or biologist.	Developer shall submit construction schedule (including grading activities) as evidence of construction overlap with breeding season. If construction occurs during relevant breeding, developer shall present a survey report (prepared by a consultant approved by the City) to the City prior to issuance of a grading permit. If nests are found, developer shall submit plans identifying nest locations and limits of construction activities.	Review schedule and field survey report, and as necessary, review and approve plans indicating construction limits Perform periodic field check to ensure compliance	Plan check prior to issuance of a grading permit During construction	Planning Planning	_____ _____	____ ____
Cultural Resources						
MM4.4-1 The Applicant shall arrange for a qualified professional archaeological and paleontological monitor to be present during all project-related ground-disturbing activities. In addition, all construction personnel shall be informed of the need to stop work on the project site in the event of a potential find, until a qualified archaeologist or paleontologist has been provided the opportunity to assess the significance of the find and implement appropriate measures to protect or scientifically remove the find. Construction personnel will also be informed that unauthorized collection of cultural resources is prohibited.	Proof of retention of archaeological and paleontological monitor	Verify retention of qualified monitors Periodic field check to ensure monitors are present	Plan check prior to issuance of grading permit Throughout ground-disturbing activities	Planning Planning	_____ _____	____ ____

ATTACHMENT NO. 3.4

Mitigation Monitoring and Reporting Program

Mitigation Measure	*Implementation Documentation*	*Monitoring Activity*	*Timing*	*Responsible Monitor*	*Compliance Verification Signature*	*Date*
MM4.4-2 If archaeological or paleontological resources are discovered during ground-disturbing activities, all construction activities within 50 feet of the find shall cease until the archaeologist/paleontologist evaluates the significance of the resource. In the absence of a determination, all archaeological and paleontological resources shall be considered significant. If the resource is determined to be significant, the archaeologist or paleontologist, as appropriate, shall prepare a research design for recovery of the resources in consultation with the State Office of Historic Preservation that satisfies the requirements of Section 21083.2 of CEQA. The archaeologist or paleontologist shall complete a report of the excavations and findings, and shall submit the report for peer review by three County-certified archaeologists or paleontologists, as appropriate. Upon approval of the report, the City shall submit the report to the South Central Coastal Information Center at California State University, Fullerton, and keep the report on file at the City of Huntington Beach.	Notes on grading plans Research design and recovery plan, if required	Review and approve grading plans for inclusion Review and approve research design and recovery plan	Plan check prior to issuance of grading permit Throughout ground-disturbing activities	Planning Peer review by three County-certified professionals	_____ _____ _____ _____	_____ _____ _____ _____
MM4.4-3 In the event of the discovery of a burial, human bone, or suspected human bone, all excavation or grading in the vicinity of the find shall halt immediately, the area of the find shall be protected, and the Developer shall immediately notify the City and the Orange County Coroner of the find and comply with the provisions of P.R.C. Section 5097. If the human remains are determined to be prehistoric, the Coroner will notify the NAHC, which will determine and notify a Most Likely Descendent (MLD). The MLD shall complete the inspection of the site within 24 hours of notification, and may recommend scientific removal and non-destructive analysis of human remains and items associated with Native American burials.	Notes on grading plans	Review and approve grading plans for inclusion	Plan check prior to issuance of grading permit Throughout ground-disturbing activities	Orange County Coroner & Planning	_____ _____	_____ _____
Geology and Soils						
MM4.5-1 The grading plan prepared for the proposed project shall contain the recommendations of the final soils and geotechnical report. These recommendations shall be implemented in the design of the project, including but not limited	Notes on grading plan and building plans	Review and approve grading and building plans for inclusion of	Plan check prior to issuance of a grading permit	Public Works	_____	_____

ATTACHMENT NO. 3.5

Mitigation Monitoring and Reporting Program

Mitigation Measure	*Implementation Documentation*	*Monitoring Activity*	*Timing*	*Responsible Monitor*	*Compliance Verification Signature*	*Date*
to measures associated with site preparation, fill placement, temporary shoring and permanent dewatering, groundwater seismic design features, excavation stability, foundations, soil stabilization, establishment of deep foundations, concrete slabs and pavements, surface drainage, cement type and corrosion measures, erosion control, shoring and internal bracing, and plan review.		final soils and geotechnical recommendations		Building and Safety	_____	_____
Hazardous Materials						
MM4.6-1 In the event that soil and/or groundwater contamination that could present a threat to human health or the environment is encountered during construction in the project area, construction activities in the immediate vicinity of the contamination shall cease immediately. For soil and/or groundwater impacts, Risk Management Plan(s) shall be submitted to the appropriate agencies (e.g., Huntington Beach Fire Department HBFD, Orange County Health Care Agency OCHCA, Air Quality Management District AQMD, Regional Water Quality Control Board RWQCB) for review and approval. The Plan(s) shall (1) identify the contaminants of concern and the potential risk each contaminant would pose to human health and/or the environment during construction and post-development and (2) describe measures to be taken to protect workers, and the public, and/or the environment from exposure to potential site hazards. Such measures could include a range of options, including, but not limited to, physical site controls during construction, remediation, long-term monitoring, post-development maintenance or access limitations, or some combination thereof. A Site Health and Safety Plan that meets California Occupational Safety and Health Administration requirements shall be prepared and in place prior to commencement of work in any contaminated area.	Risk Management Plan & Site Health and Safety Plan	Review and approve any grading plans for inclusion	Plan check prior to issuance of any grading permit	Fire	_____	_____

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Mitigation Monitoring and Reporting Program

Mitigation Measure	Implementation Documentation	Monitoring Activity	Timing	Responsible Monitor	Compliance Verification Signature	Date
MM4.6-2 Prior to the issuance of grading permits, the project shall comply with HBFD City Specification No. 429, Methane District Building Permit Requirements. A plan for the testing of soils for the presence of methane gas shall be prepared and submitted by the Applicant to the HBFD for review and approval, prior to the commencement of sampling. If significant levels of methane gas are discovered in the soil on the project site, the Applicant's grading, building and methane plans shall reference that a sub-slab methane barrier and vent system will be installed at the project site per City Specification No. 429, prior to plan approval. If required by the HBFD, additional methane mitigation measures to reduce the level of methane gas to acceptable levels shall be implemented.	Methane Testing Plan Notes on building and methane plans	Review and approval of testing plan Review and approve building and methane gas plans for appropriate documentation	Prior to commence-ment of sampling Prior to issuance of any grading permit and during construction	Fire Fire	_____ _____	_____ _____
MM4.6-3 Prior to project implementation, the Applicant shall submit for approval a soil testing and management work plan to the appropriate agencies (including the HBFD, OCHCA, AQMD, RWQCB) for review and approval. All native and imported soils associated with the proposed project site shall meet the standards outlined under the City's Specification No. 431-92 prior to the approval of grading plans and building plans by the HBFD, and any other appropriate federal, state, local requirements. Additionally, all work at the project site shall conform to the City's Public Works Department requirements (i.e., haul route permits).	Soil Testing Work Plan Contract language	Review and approve soil testing work plan Review and approve haul route plans	Prior to issuance of any grading permit Prior to issuance of haul permits	Fire Public Works	_____ _____ _____	_____ _____ _____
Hydrology and Water Quality						
MM4.7-1 The Applicant shall prepare a City of Huntington Beach-approved Water Quality Management Plan in accordance with the DAMP requirements for a Project WQMP and measures described below. A final WQMP shall be prepared to satisfy the requirements of the DAMP and City LIP. The final WQMP shall incorporate water quality BMPs for all improved phases of the proposed project. Prior to receiving a precise grading permit, three signed copies and an electronic copy on CD (.pdf or .doc format) shall be submitted to the Public Works Department. The final WQMP	Water Quality Management Plan	Review and approve WQMP	Prior to receiving a precise grading permit	Public Works	_____	_____

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Mitigation Monitoring and Reporting Program

Mitigation Measure	Implementation Documentation	Monitoring Activity	Timing	Responsible Monitor	Compliance Verification Signature	Date
shall include the following additional requirements: Project and Site Characterization Requirements ■ Entitlement Application numbers and site address shall be included on the title sheet of the WQMP ■ In project description section, explain whether proposed use includes onsite food preparation, eating areas (if not please state), outdoor activities to be expected, vehicle maintenance, service, washing cleaning (if prohibited onsite, please state). ■ All potential pollutants of concern for the proposed project land use type as per Table 7.II-1 of the Orange County Model Water Quality Management Plan shall be identified ■ A narrative describing how all potential pollutants of concern will be addressed through the implementation of BMPs and describing how site design BMP concepts will be considered and incorporated into the project design shall be included. ■ Existing soil types and estimated percentages of perviousness for existing and proposed conditions shall be identified ■ In Section I of the WQMP, state verbatim the Development Requirements from the Planning Department's letter to the Applicant. ■ A figure showing the selected treatment BMPs and drainage areas shall be included in the WQMP. <u>Structural Treatment BMPs</u> ■ Infiltration-type BMPs shall not be used. These would not be suitable or feasible for the project site because, as mentioned above, the project site soils have a shallow depth to seasonal high groundwater. ■ Wet swales and grassed channels shall not be used because of the slow infiltration rates of project site soils and potentially shallow depth to groundwater ■ Dry and wet detention basins and constructed wetlands are not recommended for the project site because of the amount						

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Mitigation Monitoring and Reporting Program

Mitigation Measure	Implementation Documentation	Monitoring Activity	Timing	Responsible Monitor	Compliance Verification Signature	Date
of area required for treatment and potential impacts to shallow groundwater. Additionally, wet detention basins would require approval by the vector control agency. ■ If proprietary Structural Treatment Control devices are used, they shall be sited and designed also in compliance with the manufacturers design criteria. ■ Treatment BMPs shall be selected such that standing water drains within 24 hours or as required by the City's vector control. ■ Excess stormwater runoff shall bypass the treatment BMPs unless they are designed to handle the flow rate or volume from a 100-year storm event without reducing effectiveness. Effectiveness of any treatment BMP for removing the pollutants of concern shall be documented. ■ The WQMP shall incorporate water efficient landscaping using drought tolerant, native plants in accordance with Landscape and Irrigation Plans as set forth by the Association (see below). ■ Pet waste stations shall be provided and maintained. ■ Building materials shall minimize exposure of bare metals to stormwater. Copper or Zinc roofing materials, including downspouts, shall not be used. Bare metal surfaces shall be painted with non-lead containing paint. For all structural treatment and source control BMPs, the WQMP shall identify the responsible party, such as a Master Residential Association and Master Commercial Association or property owner, for maintenance of the treatment system, and a funding source or sources for its operation and maintenance. The term Association refers to the responsible party. Operations and maintenance BMPs shall include, but not be limited to: ■ The Association shall dictate minimum landscape maintenance standards and tree trimming requirements for the total project site. Landscape maintenance must be performed by a qualified landscape maintenance company or individual in accordance with a Chemical Management Plan						

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Mitigation Monitoring and Reporting Program

Mitigation Measure	Implementation Documentation	Monitoring Activity	Timing	Responsible Monitor	Compliance Verification Signature	Date
detailing chemical application methods, chemical handling procedures, and worker training. Pesticide application shall be performed by a certified applicator. No chemicals shall be stored on-site unless in a covered and contained area and in accordance with an approved Materials Management Plan. Application rates shall not exceed labeled rates for pesticides, and shall not exceed soil test rates for nutrients. Slow release fertilizers shall be used to prevent excessive nutrients in runoff or irrigation waters. ■ The Association shall have the power and duty to establish, oversee, guide, and require proper maintenance and tree trimming procedures per the ANSI A-300 Standards as established by the International Society of Arborist. The Association shall require that all trees be trimmed by or under the direct observation/direction of a licensed/certified Arborist, for the entire The Village at Bella Terra improvement area. The Association shall establish minimum standards for maintenance for the total community, and establish enforcement thereof for the total community. The Association shall rectify problems arising from incorrect tree trimming, chemical applications, and other maintenance within the total community. ■ Landscape irrigation shall be performed in accordance with an Irrigation Management Plan to minimize excess irrigation contributing to dry- and wet-weather runoff. If automated sprinklers are used, they shall be inspected at least quarterly and adjusted yearly to minimize potential excess irrigation flows. Landscape irrigation maintenance shall be performed in accordance with the approved irrigation plans, the City Water Ordinance and per the City Arboricultural and Landscape Standards and Specifications. ■ Proprietary stormwater treatment systems maintenance shall be in accordance with the manufacturer's recommendations. If a non-proprietary treatment system is used, maintenance shall be in accordance with standard practices as identified in the CASQA (2003) handbooks, City BMP guidelines, or						

ATTACHMENT NO. 3.10

Mitigation Monitoring and Reporting Program

Mitigation Measure	Implementation Documentation	Monitoring Activity	Timing	Responsible Monitor	Compliance Verification Signature	Date
other City-accepted guidance. ■ Education programs. Signage, enforcement of pet waste controls, and public education would improve use and compliance, and therefore, effectiveness of this BMP and reduce potential for hazardous materials and other waste in stormwater runoff. The Association shall prepare and install appropriate signage, disseminate information to residents and retail businesses, and include pet waste controls in the Association agreement/Conditions, Covenants, and Restrictions. ■ Street sweeping shall be performed at an adequate frequency to prevent build up of pollutants (see http://www.fhwa.dot.gov/environment/ultraurb/ for street sweeping effectiveness). ■ Maintenance Plan. The Association shall develop a maintenance plan for BMPs and facilities identifying responsible parties and maintenance schedules and appropriate BMPs to minimize discharges of contaminants to storm drain systems during maintenance operations. No discharge of building or courtyard/open space wash water shall enter the storm drain system unless treated and approved by the City of Huntington Beach. ■ Reporting requirements: the Association shall prepare an annual report and submit the annual report to the City of Huntington Beach documenting the BMPs operations and maintenance conducted that year. The annual report shall also address the potential system deficiencies and corrective actions taken or planned. The Applicant is encouraged to consider the following BMPs: ■ Use of porous concrete or asphalt (if acceptable to the Geotechnical Engineer) or other pervious pavement for driveways, paths, sidewalks, and courtyards/open space areas to the maximum extent practicable will reduce pollutants in stormwater runoff as well as provide some detention within the material void space. If porous paver						

ATTACHMENT NO. 3.11

Mitigation Monitoring and Reporting Program

Mitigation Measure	*Implementation Documentation*	*Monitoring Activity*	*Timing*	*Responsible Monitor*	*Compliance Verification Signature*	*Date*
blocks are used, they must be adequately maintained to provide continued porosity (effectiveness). ■ Incorporation of rain gardens or cisterns to reuse runoff for landscape irrigation ■ Site design and landscape planning to group water use requirements for efficient irrigation ■ Sand filters or other filters(including media filters) for rooftop runoff ■ Dry swales a dry swale treatment system could be used if sufficient area, slope gradient, and length of swale could be incorporated into the project design (PBS&J 2008). Dry swales could remove substantial amounts of nutrients, suspended solids, metals, and petroleum hydrocarbons (PBS&J 2008). ■ Other proprietary treatment devices (if supporting documentation is provided) These BMPs shall not be used because they have not been shown to be effective in many situations. Therefore, unless sufficient objective studies and review are available and supplied with the WQMP to correctly size devices and to document expected pollutant removal rates the WQMP shall not include: ■ Hydrodynamic separator type devices as a BMP for removing any pollutant except trash and gross particulates ■ Oil and Grit separators						
CofA4.7-1 Prior to receiving a precise grading or building permit, the Applicant shall prepare a site Grading and Drainage Plan containing the recommendations of the final Soils and Geotechnical Reports analysis for temporary and permanent groundwater dewatering as well as for surface drainage.	Grading and Drainage Plan	Review and approval of Grading and Drainage Plan	Prior to issuance of a precise grading or building permit	Public Works	_____	____
MM4.7-2 The Applicant shall prepare a Groundwater Hydrology Study to determine the lateral transmissivity of area soils and a safe pumping yield such that dewatering activities do not interfere with nearby water supplies. Based on the Groundwater Hydrology Study, the Geotechnical, Hydrogeologic, or other	Groundwater Hydrology Study	Review and approve Groundwater Hydrology Study	Prior to issuance of a precise grading permit	Public Works	_____	____

ATTACHMENT NO. 3-12

Mitigation Monitoring and Reporting Program

Mitigation Measure	Implementation Documentation	Monitoring Activity	Timing	Responsible Monitor	Compliance Verification Signature	Date
qualified Engineer shall determine whether permanent groundwater dewatering is feasible within the constraints of a safe pumping level. The project Applicant shall incorporate the qualified Engineers designs and recommendations into project plans. If safe groundwater dewatering is determined to not be feasible, permanent groundwater dewatering shall not be implemented. The City's Director of Public Works shall approve or disapprove of any permanent groundwater dewatering based on the Groundwater Hydrology Study and qualified Engineer recommendations.						
MM4.7-3 Prepare a Hydrology and Hydraulics Study and City-approved Site Development and Drainage Plan and reduce peak runoff rates to the existing conditions 25-year storm event peak runoff rate; the design capacity of the City storm drainage channels.	Site Development and Drainage Plan	Review and approve plan	Prior to issuance of a precise grading permit	Public Works	_____	____
Prior to receiving a precise grading permit, the project Applicant shall: ■ Prepare a Site Development and Drainage Plan	Hydrology and Hydraulics Study	Review and approve study	Prior to issuance of a precise grading permit	Public Works	_____	____
■ Prepare an existing and proposed project Hydrology and Hydraulics Study based on the Site Development and Drainage Plan. The existing hydrology shall include an evaluation of run-on to the project site because of spillage from the Bella Terra Mall drainage system, north of the Montgomery Ward Site. ■ Implement stormwater detention BMPs, based on the Hydrology and Hydraulics Study, for all storm events up to the 100-year storm event, to ensure that peak flow rates from the project site to the off-site storm drain system do not exceed the existing 25-year storm event peak flow rate. ■ Analyze existing street flow capacity to determine exceedance of any design criteria and guidelines from the City's MPD. ■ Additionally, stormwater detention BMPs shall be implemented such that areas draining to the existing piped storm drain systems do not exceed existing peak flow rates	Precise final grading and street improvement plans and studies	Inspect project site; verify that drainage is in accordance with the Final Drainage Plan and that required detention/storm drain system improvements have been implemented.	Following grading, excavation, and installation of utilities	Public Works	_____	____

ATTACHMENT NO. 3.13

Mitigation Monitoring and Reporting Program

Mitigation Measure	Implementation Documentation	Monitoring Activity	Timing	Responsible Monitor	Compliance Verification Signature	Date
for the 10- and 25-year storm events and that peak flows to local streets do not exceed MPD and City design guidelines: > In accordance with the MPD, streets must be designed to leave at least one-lane free of ponded water in each direction for conveyance of the 10-year storm event, must be contained within the curbs for the 25-year storm event, cannot exceed 0.2 foot above the street curbs for the 50-year storm event, and cannot exceed 0.5 foot above the street curbs for the 100-year storm event. > The internal storm drain system must be adequate to detain sufficient stormwater runoff such that the street flow requirements are not exceeded. > Surface ponding or sump areas on the site will be limited to a maximum depth of 8-inches, and shall be distributed to areas away from building pads, and remote areas of parking lots. > Surface ponding or sump areas shall not exceed 1/3 of the proposed parking area in surface area. If there are proposed underground parking structures, they shall not be used for retention or storage, unless approved by the Director of Public Works. ■ Stormwater retention areas shall be analyzed for back to back 24-hour 100-year storm events per the requirements of the Orange County Flood Control Manual. ■ The final Hydrology and Hydraulics Study shall identify and evaluate the routing through the project site in relation to the new buildings, landscaping, utilities, and others. Sufficient detention, provided to mitigate constrained capacities in the Bella Terra Mall drainage system, shall be implemented for run-on from north of the Montgomery Ward site onto the project site. ■ The final Hydrology and Hydraulics Study shall incorporate all NPDES requirements in effect at the time that the precise grading permit is anticipated to be issued or when the study is accepted as complete.						

ATTACHMENT NO. 3.14

Mitigation Monitoring and Reporting Program

Mitigation Measure	Implementation Documentation	Monitoring Activity	Timing	Responsible Monitor	Compliance Verification Signature	Date
■ Precise final grading and street improvement plans and studies shall be submitted to the Public Works Department for review and approval. The project developer shall incorporate into a final Drainage Plan all recommendations and requirements identified the review of the final Hydrology and Hydraulics Study and identified stormwater detention requirements/features. Following grading, excavation, and installation of utilities, the Public Works Department shall inspect the project site and verify that project site drainage is in accordance with the Final Drainage Plan and that required detention/storm drain system improvements have been implemented.						
MM4.7-4 The Applicant shall design and implement project site drainage features to minimize stormwater runoff and flood waters from entering into any proposed underground parking structures or otherwise contribute to flood hazards and shall incorporate flood-proofing and hydrostatic pressure measures for all below-ground structures. Prior to receiving a precise grading or building permit, the Applicant shall prepare a Precise Grading and Site Development and Drainage Plan identifying BMPs to minimize underground structure flooding. The Precise Grading and Site Development and Drainage Plan shall implement design features to minimize flooding of underground structures such as, but not limited to: ■ Grade areas to drain away from the structure entryways ■ Implement runon prevention (e.g., berms or dikes) to direct project site runoff and flood flows away from underground structure entryways ■ Elevate underground structure entryways to two-feet above the existing grade (approximate depth of potential flooding from the East Garden Grove-Wintersburg Channel) ■ Implement sumps and pumps within the underground structures to remove any runoff entering the underground structures (this measure shall also be subject to the WQMP and DAMP BMP requirements for discharge treatment and	Precise Grading and Site Development and Drainage Plan	Review and approval of Grading and Site Development and Drainage Plan	Prior to issuance of a precise grading or building permit	Public Works	_____	____

ATTACHMENT NO. 3-15

Mitigation Monitoring and Reporting Program

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disposal) Additionally, the Applicant shall incorporate flood-proofing measures to prevent seepage flooding. Underground structures materials and design shall be in accordance with FEMA floodplain development requirements and the 2007 California Building Code for structures subject to flooding and hydrostatic pressures. ■ The geotechnical engineer and/or waterproofing specialist shall prepare design requirements for flood-proofing the underground structures and ensuring that structures are build to withstand hydrostatic pressures. ■ Any utilities located in below grade structures shall be protected from ponding water and seepage in accordance with the geotechnical engineer recommendations and 2007 California Building Code. The Applicant shall also design on-site runoff to drain away from building foundations and shall not allow for more than 8 inches of ponding at any location on-site.						
Noise						
MM4.9-1 The Applicant shall require by contract specifications that the following construction best management practices (BMPs) be implemented by contractors to reduce construction noise levels: ■ Notification shall be mailed to owners and occupants of all developed land uses immediately bordering or directly across the street from the project site area providing a schedule for major construction activities that will occur through the duration of the construction period. In addition, the notification will include the identification and contact number for a community liaison and designated construction manager that would be available on site to monitor construction activities. The construction manager will be located at the on-site construction office during construction hours for the duration of all construction activities. Contract information for the community liaison and construction	Contract language and notes on grading and building plans	Review and approve contract specifications, grading and building plans for inclusion	Plan check prior to issuance of a grading permit	Planning	_____	____

ATTACHMENT NO. 3.14

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manager will be located at the construction office, City Hall, and the police department. ■ Ensure that construction equipment is properly muffled according to industry standards ■ Utilize the best available technology to reduce noise levels from pile driving activities, including but not limited to the use of noise blankets or temporary sound barriers ■ Place noise-generating construction equipment and locate construction staging areas away from sensitive uses, where feasible ■ Schedule pile-driving activities between the hours of 8:00 A.M. and 4:00 P.M. on Mondays through Fridays only.						
MM4.9-2 The Applicant shall require by contract specifications that construction staging areas, along with the operation of earthmoving equipment within the project site, are located as far away from vibration- and noise-sensitive sites as possible. Contract specifications shall be included in the proposed project construction documents, which shall be reviewed and approved by the City.	Contract language and notes on grading plans	Review and approve grading plans for inclusion	Prior to issuance of a grading permit	Planning	_____	____
MM4.9-3 Prior to issuance of building permits, the Applicant shall submit an acoustical study, prepared by a certified acoustical engineer, to ensure that exterior (e.g., patios and balconies) and interior noise levels would not exceed the standards set forth in the City of Huntington Beach Municipal Code Sections 8.40.050 through 8.40.070. Final project design shall incorporate special design measures in the construction of the residential units, if necessary.	Acoustical Study	Review and approval of study and building plans for inclusion any special design measures	Prior to issuance of building permits	Planning	_____	____
Public Services						
MM4.11-1 Radio antenna receivers (BDA's) shall be installed in all underground parking structures in order to allow emergency responders to use their radio systems.	Final building plans	Review and approval of building plans for inclusion	Prior to issuance of a building permit	Planning	_____	____

ATTACHMENT NO. 3.17

Mitigation Monitoring and Reporting Program

Mitigation Measure	*Implementation Documentation*	*Monitoring Activity*	*Timing*	*Responsible Monitor*	*Compliance Verification Signature*	*Date*
Transportation/Traffic						
MM4.13-1 The Applicant shall provide funds on a fair share basis to the City of Huntington Beach to construct either an additional northbound through lane or an additional westbound through lane at the intersection of Beach Boulevard and Edinger Avenue.	Proof of fair share payment	Confirm payment	Prior to issuance of certificate of occupancy	Public Works	_____	_____
Utilities and Service Systems						
MM4.14-1 Prior to issuance of a building permit for the proposed project, the existing 10-inch stubout connection shall be replaced with a stubout, whose size will be determined with a sewer study, to the 69-inch OCSD trunk sewer line so that a replacement sewer lateral can be installed to service the development. The sewer study shall also evaluate the condition of the existing OCSD manhole in Edinger Avenue to determine if the manhole requires rehabilitation. In addition, a second 12-inch point of connection shall be constructed for additional capacity, if necessary.	Sewer Study Infrastructure Improvement Plans	Review and approval of study Review and approval of infrastructure plans	Prior to issuance of a grading permit Prior to issuance of a building permit	Public Works Public Works	_____ _____	_____ _____

SOURCE: PBS&J 2008

ATTACHMENT NO. 2-18